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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/839,158	04/23/2001	Hirokazu Kawamoto	35.G2785	1598

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FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

EXAMINER
RUDOLPH, VINCENT M

ART UNIT	PAPER NUMBER
2625	

MAIL DATE	DELIVERY MODE
06/21/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	09/839,158	KAWAMOTO ET AL.
	Examiner	Art Unit	
	Vincent M. Rudolph	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *18 April 2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *43-46,49-52,61-64,67,69 and 71* is/are pending in the application.

  4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *43-46,49-52,61-64,67,69 and 71* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *23 April 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

  a)☒ All b)☐ Some * c)☐ None of:

  1.☒ Certified copies of the priority documents have been received.

  2.☐ Certified copies of the priority documents have been received in Application No. _____.

  3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

  * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
  Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
  Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on

4/18/2007 has been entered.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

Claims 43-46, 49-52, 61-64, 67, 69 and 71 are rejected under 35 U.S.C. 103(a)

as being anticipated by Livingston ('632) in view of Fischer ('588).

Regarding claim 43, Livingston ('632) discloses an information processing

apparatus (computer, See Figure 1, Element 100) for producing single print jobs (create

a single print job to send to a select printer, See Col. 3, Line 9-13) to be printed by a

printing apparatus (printer, See Figure 1, Element 102) wherein each single print job

includes data that describes a print control command (selectively add features to any

page that is to be printed to a designated printer, See Col. 4, Line 52-57) and a print

data part described by a print language (imaging operation done by a printer driver for

printing, See Col. 9, Line 24-30), and enabling the printing apparatus to print a plurality

of different print-out formats (See Col. 4, Line 65-Col. 5, Line 4) by adding a command

to the data at the direction of the information processing apparatus (applying the

features through the graphical user interface, See Col. 4, Line 60-64). This includes a

setting means (the computer performs the action, thus is becomes the means) capable

of setting one of a plurality of different print-out formats for one piece of data (user is

able to select different features for outputting the print data, See Col. 4, Line 65-Col. 5,

Line 4) to be printed through a GUI of a printer driver within the information processing

apparatus (using a graphical user interface, See Col. 4, Line 58-62, and through a

printer driver, See 2; Col. 4, Line 50-51), producing means for producing each single

print including the data that has a group of job commands describing the print control

command and the print data part described by the print language (receives the

information from the user in order to produce the print job, See Col. 9, Line 19-21),

sending means for sending each single print job produced to the printing apparatus

(sends the print job through the print driver to the selected printer, See Col. 9, Line 24-

26) so that the printing apparatus receives each single print job and executes a printing

operation with the output format that corresponds to the group of job commands of the

print job (the destination printer receives the single print job from the program module

through the printer driver so imaging operation can be performed on the print job, See

Col. 9, Line 12-30) and the producing means adds a new print control command for

designating multiple different print-out formats to the group of job commands in the data

of each print job in the situation that multiple different print-out formats are selected (a

print job that has multiple features included are added whenever the program module

passes this information to the printer driver so that the selected formats are able to be

performed on the designated pages when printing is performed, See Col. 9, Line 12-30).

Livingston ('632) does not disclose a header part included within the print job for

describing a print control command.

Fischer ('588) discloses a header part (PJL header, wherein PJL is printer job

language) that describes a print control command (a header command within the job for

detecting the print data and defining the print job, See Col. 5, Line 31-39).

It would have been obvious to one of ordinary skill in the art at the time of the

invention by the applicant to include to include a header part, such as the one disclosed

within Fischer ('588) and incorporate it into the information processing apparatus of

Livingston ('632) because it enables a printer to understand the desired settings set by

a user on the graphical user interface on the computer in order generate the document

and output it accordingly.

Regarding claim 44, Livingston ('632) discloses that the setting means is capable

of setting a combination of predetermined print-out formats (multiple features are able to

be selected by the user, See Figure 3; Col. 4, Line 58-Col. 5, Line 4).

Regarding claim 45, Livingston ('632) discloses that the combination of

predetermined print-out formats includes a first print-out format where one page is

printed out onto one sheet (such as duplex printing) and a second print-out format

where a plurality of pages are printed out onto one sheet (printing multiple pages per

sheet, See Figure 3; Col. 4, Line 58-Col. 5, Line 4).

Regarding claim 46, Livingston ('632) discloses that the setting means is capable of setting an arbitrary combination of print-out formats (user is able to determine and select each feature for the print job, See Col. 5, Line 4-7).

Regarding claim 67, Livingston ('632) discloses that each single print job where a new command for the different print-out formats is added makes the printing apparatus convert the print data into print image data in accordance with the group of job commands and execute the printing operation (printer driver applies the values received from the program module and applies it to each page based on the feature selected prior to sending it to the printer, See Col. 9, Line 26-30).

Livingston ('632) does not disclose converting the data for the plurality of output formats more than once, but it would have been obvious to one of ordinary skill in the art to have done so. For example, by having the single print job with multiple formats (features) converted multiple times, a user has to only submit the single job once (See Col. 3, Line 9-13), which reduces the number of times a user has to resubmit a different formatted print job.

It would have been obvious to one of ordinary skill in the art at the time of the invention by the applicant to have included converting the print data multiple times and incorporate it into the information processing apparatus of Livingston ('632) because it allows a user to only submit the single print job with multiple output formats once, which reduces the print queue for the user if more than one user submits print jobs to be outputted.

Regarding claims 49-52, 61-64, 69 and 71, the rationale provided in the rejection

of claims 43-46 and 67 is incorporated herein. In addition, the apparatus of claims 43-

46 and 67 corresponds to the method of claims 49-52 and 69 as well as the computer-

readable medium (See Figure 1, Element 108) of claims 61-64 and 71, and performs

the steps disclosed herein.

Response to Arguments

Applicant argues that the prior art does not disclose to enable printing multiple

different print-out formats from the print data. Thus, the prior art of Livingston is used to

meet the limitations of the amended claims. Livingston discloses allowing a user to

select features for a print job by using a graphical user interface (See Figure 3; Col. 4,

Line 58-Col. 5, Line 4). The print data with the included features are then sent to the

printer through the printer driver (See Col. 9, Line 12-30) in a single print job (See Col.

3, Line 9-13). Even though Livingston does not disclose a header part included within

the print job for describing a print control command, by incorporating the prior art of

Fischer, it is able to meet the limitation. Fischer discloses having a header part (PJL

that describes the print control command for detecting the print data and defining the

print job (See Col. 5, Line 31-39). Thus, by combining it with Livingston, it allows a

printer to understand the desired settings set by a user on the graphical user interface

on the computer in order generate the document and output it accordingly. As a result,

the combined prior art is able to meet the limitations of the amended claims.

Based on these facts, **THIS ACTION IS MADE NON-FINAL.**

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure is: Momose ('013).
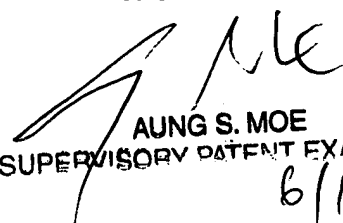
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vincent M. Rudolph whose telephone number is (571) 272-8243. The examiner can normally be reached on Monday through Friday 8 A.M. - 4:30 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Aung Moe can be reached on (571) 272-7314. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

6/13/07

VMR

Vincent M. Rudolph
Examiner
Art Unit 2625

AUNG S. MOE
SUPERVISORY PATENT EXAMINER
6/15/07